REGULATING PRIVATE SECURITY IN NOVA SCOTIA

DISCUSSION PAPER

January 2007

NOVA SCOTIA

Department of Justice

2008-01232/

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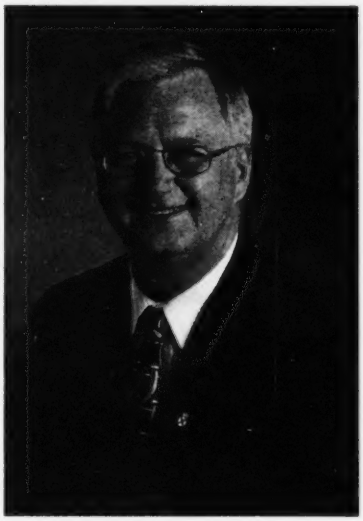
Message from the Minister



Honourable Murray K. Scott
Minister of Justice and Attorney General

The private security industry is critically important to achieving a safe and secure environment for Nova Scotia's private businesses and the general public. An increase in demand for private security services and the expansion of the scope of duties identified as security activities have contributed to the growth of the industry. The *Private Investigators and Private Guards Act* of Nova Scotia regulates and provides oversight of the security industry but currently does not reflect its growth.

As we modernize our private security legislation, we must determine the most appropriate means to facilitate a positive business environment for the security industry and security practitioners in Nova Scotia. At the same time, we must ensure that public safety needs are addressed. To achieve this, the Department of Justice is asking for your input.

Our Security Programs Office has developed a discussion paper to provide you with information on private security areas which require review. A questionnaire is also provided to give you the opportunity to share opinions and ideas on effective private security reform in Nova Scotia.

I encourage you to provide your views as government modernizes and strengthens private security legislation. I would also like to thank you in advance for contributing to a safer and more secure Nova Scotia.

Sincerely,

Murray K. Scott, M.B.
Minister of Justice and Attorney General
Province of Nova Scotia

Background

In recent years, the private security industry has experienced significant growth in both its size and importance. According to the 2001 Census, there were 1.3 times as many people working in private security as there were public police officers.[1]

The increased demand for private security services has been the result of several factors including: the growth of mass private properties such as shopping malls, sports stadiums, and gated communities; the increased demand for security by the public and private business in the wake of both domestic and international issues such as perceived/real increasing crime rates and the threat of terrorism; and the acknowledgment among police practitioners, academics and policy makers that private security is a needed supplement to public police initiatives in order to provide the public and private interests with the security it desires.

This increase in demand for private security has consequently led to an expansion in the types of security that is provided. While security guards and private investigators make up the majority of those currently licensed, they are the only practitioners that are licensed under the *Private Investigators* and *Private Guards Act* in Nova Scotia. With industry expansion, there are now a myriad of other occupations performing recognized security activities that are not identified or regulated under the Act. For example, occupations such as risk management consultants, locksmiths, alarm installers, bouncers, bodyguards and in-house security perform various security functions but are currently not required to be licensed in Nova Scotia.

The expansion in the scope of duties identified as security functions, the increases in the number of security practitioners, and the growing public and private demand for enhanced security measures has prompted many jurisdictions, such as Ontario, Quebec, Alberta, British Columbia, and Manitoba, to review their existing legislative frameworks governing the private security industry to ensure that the legislation reflects current security realities. Updated legislation is required as governments are accountable to its citizens to ensure that such legislation provides the best possible security regime; one which citizens can be assured meets their private security needs and enhances overall public safety.

Purpose

The *Private Investigators and Private Guards Act* was originally enacted in Nova Scotia in 1972 to provide a regulated environment for the growing number of private investigators and private guards in Nova Scotia. The last revision to the *Act* was in 1989. While this legislation played an important role in ensuring an accountable private security industry over the past number of years, the current legislation does not reflect the diversification of the private security industry nor the growing role that private security plays in the overall safety and security of the citizens in Nova Scotia.

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[1] Taylor-Butts, Andrea (2004). *Private Security and Public Policing in Canada, 2001*. Ottawa: Canadian Centre for Justice Statistics.

Given the need to modernize this legislation, the Department of Justice is seeking your input on how private security in Nova Scotia can be regulated to better reflect the expansion of the industry and the growing need for strengthened accountability measures to enhance the safety and security of the citizens of Nova Scotia. In particular, there is a need for consultation to determine: security occupations which should be covered under the legislation; the appropriate licensing regime for those occupations; minimum training and testing standards; and accountability requirements. This discussion paper focuses specifically on these areas.

The purpose of this consultation is to seek information and insight on the most appropriate means to facilitate a positive business environment for the security industry and security practitioners in Nova Scotia, while at the same time ensuring that public safety needs are addressed. The development and enforcement of mandatory standards and accountability structures for all segments of the security industry will equalize the field for those providing security services. In addition, it will also enable the public to have more confidence in the quality of service, enhance professionalism of the industry, and encourage various agencies to improve their standards.

In developing this discussion paper, the Security Programs Office examined academic research at the national and international level, consulted with relevant stakeholders within the Department of Justice, and consulted with Registrars of Private Security in other provinces. It is our hope that the dissemination of the discussion paper will facilitate consultations with the industry and other stakeholders to ensure all relevant interests are considered in the development of modernized private security legislation.

We encourage your input. The attached questionnaire may be used for note taking prior to the completion of the on-line questionnaire. Please submit your responses to the questionnaire on-line at www.gov.ns.ca/just/ click "Policing" and then "Security Programs Office". If additional space is required, please forward comments to SECPROG@gov.ns.ca.

If access to the internet is problematic, the accompanying questionnaire can be completed and returned by mail to our office. If additional space is required, attach a separate piece of paper with your submissions.

Please forward responses as well an any additional comments, ideas or concerns **by February 26, 2007.**

Send written submissions to:

Nova Scotia Department Of Justice
Security Programs Office
5151 Terminal Road
Halifax, Nova Scotia
B3J 2L6
1-888-760-5577 or 424-2905

Note:

This discussion paper has been prepared by the Department of Justice, Security Programs Office to assist any interested shareholders to formulate submissions on the draft proposals outlined in this discussion paper. The content in this paper is for discussion and consultation purposes only and should not be viewed as final or conclusive.

PART 1 - LICENSING

Issue # 1
Who Should be Licensed?

In Nova Scotia under the existing *Private Investigators and Private Guards Act,* private investigators, private guards, armed guards, and guard dogs are required to be licensed. In 2005/2006 the Department issued licenses to 76 security companies and approximately 3,400 licenses to individual security guards and/or private investigators. Currently, those who are required to be licensed comprise only a portion of those who are working in the private security field in Nova Scotia. The Canadian Corps of Commissionaires, locksmiths, alarm installers, security consultants and all those security personnel who are employed by proprietary organizations (i.e. those organizations with their own security personnel who are not contracted out for hire to other entities), are not required under the *Act* to hold licenses at this time. As a large component of the security industry is not regulated in Nova Scotia, this creates an uneven competitive playing field and limited regulation of the industry as a whole.

Expanded coverage will increase public confidence in the industry and raise standards of competence and professionalism. In addition, the risk of criminal involvement in private security would be limited as currently unlicensed components of the industry would become subject to criminal records screening.

Consideration is being given to expanding coverage of the legislation to include:

1. **In-House Security (Businesses or Organizations with internal security)**
   Classified as those individuals who are employed by public or private organizations to provide security services exclusively to their direct employer. Their services are not contracted out by the employer. This includes individuals who work for commercial corporations, universities, shopping malls, building complexes etc. These security personnel have considerable contact with the public and yet are not regulated as security agents and are not subject to a criminal records check.

   Licensing of in-house security personnel would require the employer to be registered with government as a security employer. While it is not proposed that proprietary companies pay a licensing fee, an administration fee will be required to register the company with the Nova Scotia Justice Department.

2. **Canadian Corps of Commissionaires**
The Corps is a private, non-profit organization that provides security services to both public and private organizations. The historical context of the Commissionaires was to assist veterans in finding employment. That is no longer the case. Today the Corps of Commissionaires competes with for-profit contract security companies for both the same personnel and on many of the same contracts.

3. **Personal Protection (Bodyguards) and Door Security (Bouncers)**
The services of these in-house and contract security agents are to maintain a safe environment for the benefit of individuals, staff and patrons. They often encounter physical confrontations and have a greater potential than most other security agents for violent interaction with the public. They are currently unregulated and are not required to have a criminal records check or security screening.

4. **Locksmiths & Locksmith Agencies**
Those individuals who engage in any activity which is related to the opening and closing or engaging of locking mechanisms of any nature by means of a specialized device, require a high level of public trust. Despite this, there is currently no requirement that they have criminal records checks or security screening.

5. **Alarm Installers, Alarm Agencies**
These are companies and individuals who sell, supply, and/or install an assembly of equipment and devices intended to protect property or those who provide or sell methods of protecting property from crime and disorder. This includes CCTV installers. Training requirements are in accordance with an Apprenticeship Program offered by the Department of Education but they are not subject to criminal records checks or security screening.

The Law Commission of Canada: In Search of Security, The Future of Policing in Canada 2006 - Recommends that in the interest of the public good, in-house and contract security personnel and organizations should be licensed and regulated ...

Ontario - *The proposed Private Security and Investigative Services Act* makes licensing and training mandatory for all security personnel. It also makes in-house security staff, like those working for retailers, bars and the Corps of Commissionaires, subject to the *Act.*

Alberta - Government MLA Review, *Private Investigators and Security Guards Act* - Nov 2006 Recommendation 1.1
Overall, stakeholders supported licensing security guards regardless if they are contract, in-house or with the Corps of Commissionaires

Manitoba - New legislation requires in-house security guards (those who are permanently employed by one employer in a business or undertaking other than the business of providing security guards, and whose work is confined to the affairs of that employer) be licensed under the new *Act.*

British Columbia - are drafting legislation that states in-house security, Corps of Commissionaires, alarm installers, locksmiths, security consultants and body guards will be licensed under the new *Act.*

6. **Security Consultants and Agencies**
   These agencies and individuals consult, manage or provide advice on loss prevention and security activities for hire or reward. Although they have constant contact with the public, their activities are not regulated nor subject to any legislative standards.

7. **Guard Dogs and Guard Dog Handlers**
   In Nova Scotia, the Regulations for the *Private Investigators and Private Guard Act* requires that an individual guard dog handler be licensed as a security guard with a license endorsement to handle a guard dog. The *Act* itself does not address guard dog handlers and does not require that a guard dog be licensed. The demand for the services of guard dogs and handlers is increasing and may be an area of significant potential growth. This should be addressed within the *Act*.

Your Comments

Our aim is to ensure that the legislation is applied to all of the above sectors. We welcome your views on expanding the licensing regime. Please refer to PART I, Licensing, Question # 1 of the questionnaire.

PART 1 - LICENSING
Issue # 2
Classification of Security Practitioners

With the growth of the private security sector, the roles and functions of private security practitioners are steadily evolving and becoming increasingly diverse. Private security functions and responsibilities can differ considerably among practitioners but this is not reflected in the present legislation. For example , under the current *Act*, an applicant who is a manager/supervisor of security personnel receives the same guard license as a private investigator or security guard. In addition, individuals hired to guard a construction site or to be a floorwalker at a retail store will both receive the same guard license. Because of the diversity in the profession, it is evident that a licensing system that would differentiate between the different levels of security functions/duties would be useful.

There are a number of different approaches that could be considered, for example;
1. Different licenses for different categories of security work (an alarm installer, in-house, private guard, private investigator , security consultant etc. would have a separate identifying license),
2. Varying levels of security licenses based upon training and experience (Level I = Private Guard Level 2= Senior Guard, Level 3= Supervisor/Manager) and/or
3. Endorsements on licenses for functions requiring specific authority (use of equipment such as baton and handcuffs).

Ontario: Drafting new legislation that addresses a licensing classification system in which each level or tier reflects the duties that the security practitioner is competent to perform based on the training they have received.

Alberta: Government MLA Review, *Private Investigators and Security Guards Act* - Nov 2006 Recommendation 1.6
It is recommended that loss prevention personnel be licensed in a separate category to reflect their distinct and critical role in reducing criminal activity...

Quebec: The proposed *Act* makes provisions for five categories of agent and agency permits, which corresponds to the field of activity that falls under the scope of legislation.

Florida: - Currently uses a licensing classification system that provides several licensing options to individual security and private investigator applicants, agencies and schools. Licenses are granted based on the training and qualifications required to perform the specific duties associated with each position.

Any or all of these options would facilitate the development of training requirements specific to the classification function the individual would perform.

Your Comments
We welcome recommendations relating to license classification and levels or endorsements on licenses. Please refer to PART I, Licensing , Question # 2 of the questionnaire .

PART 1 - LICENSING
Issue # 3
Minimum Requirements

The current legislation requires that an applicant for a private investigator, private guard or armed guard license be at least nineteen (19) years of age (Age requirement in other provinces is 18 other than N.B. which is 19), pass a criminal records screening, be a Canadian citizen or entitled to work in Canada and pay the prescribed fees. In addition, a member of a police agency is prohibited from engaging in the business of acting as a private investigator or private guard .

Prescribed licensing fees for 2006/07
$21-License to act as a Private Guard OR Private Investigator
$32 -License to act as a Private Guard AND Private Investigator
$11 License to upgrade to dual status
$319 License to engage in the business of providing Private Guards for hire or Private Investigators
$619 License to engage in the business of providing Private Guards for hire and Private Investigators

The same conditions also apply to an applicant for a business license with the additional requirements of evidence of liability insurance, pre-approval of applicant's business name and approval of uniforms and vehicle markings to be used by the business.

Many jurisdictions in Canada require that security practitioners applying for a business license submit a surety bond ranging from $5,000 to $15,000 depending on the province. Surety bonds are requested in order to offer some protection to the public by ensuring the honest and lawful conduct of the business licensee and his/her licensed employees. The *Private Investigators and Private Guards Act* of Nova Scotia is the only *Act* in Canada that does not address the issue of bonds.

Surety Bonds

British Columbia, Alberta and Saskatchewan:
Current legislation requires that proof of bonding must accompany Business Applications.

Manitoba, New Brunswick and Ontario: Legislation requires that business applicants provide proof of a $5,000 bond.

Quebec: Current legislation requires that business applicants provide proof of a $15,000 bond.

Newfoundland & Labrador: Legislation requires that business applicants provide proof of a bond ranging from $5,000 to $15,000.

P.E.I: Under current legislation, a Business Applicant is required to submit an original bond in the amount of $ 10,000

An applicant for an armed guard license must pass a firearms proficiency test and hold a valid Possession and Acquisition license (PAL), and an Authorization to Carry (ATC) pursuant to the *Firearms Act*.

An applicant for an armoured vehicle business must hold a valid firearms business license pursuant to the *Firearms Act* and the armoured vehicle must be a standard acceptable to the Minister and in compliance with the standards required under the *Motor Vehicle Safety Act (Canada)*.

Your Comments
Are the current requirements appropriate? Are there additional requirements that should be considered? Should bonds be required? Please refer to PART 1, Licensing, Questions # 3, #4, #5 and #6 of the questionnaire.

PART 1 - LICENSING
Issue # 4
Licensing Period

Under the present legislation the licensing year is from April 1st in one year to March 31st in the next year. All licenses are valid for a maximum period of 12 months. Currently there are no provisions for licensing for longer periods.

Expansion of the legislation to require licensing for a broader range of security practitioners will significantly increase the volume of applications and could result in an administrative burden on the Security Program Office if all applications are required to be renewed at the same time. Conversely, maintaining one annual renewal date allows the Security Programs Office to assist businesses with renewals by sending out notifications of expiry listing all their licensees. If renewals were staggered throughout the year, there would also be an extra administrative burden on the Security Programs Office to track renewals on a monthly basis in order to send expiry notices to the security industry.

All licenses for both companies and individuals, regardless of the issuance date, are now subject to expiry on March 31st and must be renewed prior to that date. The required annual fee is reduced by half for applications that are received after Oct 1st. If the application is received in February or March the license is only valid until March 31st thus requiring the applicant to submit the paperwork and fee for a renewal shortly after the initial license was issued.

To reduce the burden on the industry, consideration is being given to providing the option of licensing for up to 15 month period for applications received after January 1st, i.e. applications received after January 1st in one year could be valid until March 31st of the next year. This would reduce paperwork and eliminate the necessity for companies and individuals to apply for a renewal shortly after the issuance of an initial license.

Consideration is also being given to staggering renewal dates throughout the year based on the date the application is approved and allowing longer licensing periods (1 or 2 year licenses), particularly in the less transitory components of the security field.

Your Comments
Your input would be appreciated on the issues of staggered renewal dates, longer licensing periods, and an optional 15 month initial license. Please refer to PART 1, Licensing, Questions # 7, #8 and #9 of the questionnaire.

PART 1 - LICENSING

Issue # 5

Multi Licenses and Portability

Currently, security employees can work for more than one company but must attain a separate license for each company. The license to work for any particular company must be issued before a security practitioner is able to start work for that company. The license that is held by a security practitioner (and required by legislation to be provided upon request), clearly identifies the company for whom the individual is working. This process ensures that all security practitioners are overseen by a company and the company bears responsibility and liability for the individual's employment activity. The company also has the additional responsibility of ensuring that any license that is revoked or suspended is returned to the Security Programs Office. If the public has concerns in relation to a security practitioner, they have recourse to the company in addition to filing a formal complaint with the Security Programs Office.

Transition to a portable license regime i.e. licensing the individual rather than licensing the individual for employment with a specific company, is being considered in some larger jurisdictions as a means of facilitating the development of a roster of licensed individuals who would be able to work immediately with any company. The ability of the public or security regulators to trace the individual's activity back to the employer would be significantly reduced, as the individual's license would no longer identify the employer. This would be of particular concern in employment situations such as retail floor walking where licensed private guards are not required to be in uniform.

Licensing the individual rather than licensing through a company would benefit the individual licensees by allowing them to offer their services and change jobs/employers without having to reapply for another license. At the same time, it may reduce professionalism within the industry as companies would no longer be involved in the screening of license applications and individuals would have increased opportunity to work on their own, independent of a contract security or proprietary company. In addition, it would reduce the ability of the Security Programs Office to retrieve expired, revoked or suspended licenses and may facilitate those individuals continuing to market their services even though their license is invalid.

The issues of multi-licensing and portability are subjects of substantial debate among security regulators and industry stakeholders. Developing a streamlined licensing process to facilitate employment in the industry while not also reducing accountability and professionalism is a significant challenge.

Your Comments

The approach taken on multi-licensing/license portability could have substantial impact in setting future direction for operation of the security industry. A detailed response on this issue would assure that all points of view are considered. Please refer to PART 1, Licensing, Questions # 10 and #11 of the questionnaire.

PART II - TRAINING AND STANDARDS

Minimum Training and Testing Standards

Under the existing legislation and regulations in Nova Scotia, training is only required for those individuals who are seeking an armed guard license or endorsements on their license for the use of restraining devices or batons. A license endorsement for a guard dog handler requires a written summary of experience and training in the use of guard dogs for hire. Written proof of training acceptable to the Minister is necessary to permit a security practitioner to carry equipment such as a baton or handcuffs. Those seeking an armed guard license are required to pass a firearms proficiency test and hold a valid Possession and Acquisition license (PAL), and an Authorization to Carry (ATC) pursuant to the *Firearms Act*.

Currently, there are no general mandatory minimum training requirements for the security industry. Depending on job assignments, security guards will have varying responsibilities. In large security organizations, a security guard may have specialized duties, while in small organizations, individual security personnel may be responsible for all security measures. In department stores, security personnel must watch for theft by customers or employees while also serving as a deterrent to would-be criminals . While at social events, nightclubs and concerts, security guards are responsible for crowd control and the restraint of patrons who may cause trouble.

Although many companies and security professionals already have well-established training standards, others have little or no training. Implementing mandatory minimum training and testing requirements for all components of the industry would increase professionalism within the industry, establish uniform standards and improve safety for the public who interact with security personnel. The establishment of a minimum basic training standard is not intended to restrict training beyond the standard nor to add an additional level of training for those security professions such as locksmiths who have an existing training requirement for their specific profession.

British Columbia: In 1996, the Province of British Columbia introduced legislation that prohibits the issuance of a security guard license unless the individual has completed an "approved training program". Two courses, Basic Standards Training 1 and Basic Standards Training 2, must be successfully completed through an approved training school, and evidence of completion must be attached to a license application.

Ontario: Their newly proposed legislation requires mandatory pre-employment training before the issuance of a security guard license. Individuals who are currently licensed must pass a proficiency test. If they fail, they must take the prescribed training. They will be utilizing the basic principles of the Canadian General Standards Board.

Manitoba: Recent amendments to their legislation include new mandatory training for security personnel.

Saskatchewan: In 2002, the Province of Saskatchewan introduced new legislation requiring mandatory pre-employment training for security guards. Individuals must take an "approved training course" and pass a test administered by the department.

Newfoundland: Current legislation states that a first time applicant for a private investigator or security guard agent license shall provide proof of successful completion of the training course or examination provided for this purpose by a community college established under the *Colleges Act*.

Those jurisdictions in Canada that have implemented minimum mandatory training standards have predominantly based their training on the standards developed by the Canadian General Standards Board (CGSB). The CGSB training standard for basic security guards and security guard supervisors is the standard used by the Canadian Corps of Commissionaires and is also the required training for any federal government security contracts. This standard has also been adopted as the basis for training for several currently licensed security companies as well as in colleges and organizations in Nova Scotia with their own internal security personnel. As the CGSB standard is well-established and well-accepted in the industry, it is anticipated that approved training for security guards and security supervisors in Nova Scotia would be required to meet a similar standard.

Although mandatory pre-employment training for security guards and supervisors has been a requirement in British Columbia since 1996 and in Saskatchewan since 2002, the pre-employment requirement has been a contentious issue in other jurisdictions. Concern has been expressed within the industry about the delay in putting an employee to work immediately if pre-employment training is required. However, allowing the individual to work prior to completion of a minimum level of training does not address the public safety concern inherent in having completely untrained individuals providing security services.

Your Comments

The introduction of mandatory minimum training standards will significantly impact the security industry, particularly contract security guard services. A number of approaches are open for consideration on this issue. Ideas and suggestions would be appreciated. Please refer to PART II, Training and Standards, Questions # 12 to #16 of the questionnaire.

PART III - GOVERNANCE
ISSUE # 1
Accountability

The effectiveness of any legislation is dependant to a large degree upon the system established for enforcement and monitoring of legislative requirements. If effective remedies for infractions are not in place and enforced, updating the legislation will have little impact on the security industry. The purpose of a compliance regime is to encourage licensees to uphold the standards prescribed by law and to create safeguards for both the public and the security industry. Implementation of measures such as newsletters to keep the industry updated and the availability of a compliance officer for advice and consultation, provide the industry with assistance to remain compliant with legislative requirements.

In other jurisdictions across Canada such as Ontario and Alberta, increasing attention is being given to drafting a Code of Conduct which would hold both individuals and companies accountable.

A successful compliance regime should include a possible range of infractions such as warnings, summary offence tickets, license suspension/revocation as well as prosecution. Remedial action for failure to comply however, must have sufficient impact to encourage licensees to avoid penalty.

Regulators must have the appropriate legislative authority to ensure compliance to standards. An effective enforcement system requires powers of inspection, investigation, audit, and remedial action. Growth in the industry has resulted in increased emphasis and attention on compliance.

Ontario - Currently developing a Code of Conduct which will allow the public to make complaints about the conduct of either security practitioners or employers. The Code outlines actions that can be addressed through remedial actions (for example, profane or abusive language may result in a practitioner being sent for sensitivity training).

Alberta - Government MLA Review, *Private Investigators and Security Act,*
Recommendation 8.1 - The majority of stakeholders favor a communication process to support the development of industry wide standards for recruitment, training, education and a code of conduct.
Recommendation 7.1 - Stakeholders expressed that the government should increase their ability to monitor compliance...monitoring and auditing functions by the Alberta government should be strengthened for all licensed companies to ensure compliance.

Quebec: The *Act* makes provisions for a series of fines to which any person who contravenes certain regulatory provisions is liable. Fines vary from $150 to $5,000 depending on the type of offence.

British Columbia: The Oppal Report 1994 recommended that the province amend the *Private Investigators and Security Agencies Act* and regulations to include a system of regulatory fines, official reprimands and probation with conditions; and provide for informal settlements in the case of disputed violation notices.

Your Comments

Your input would be appreciated on how to effectively govern and monitor the private security industry to ensure that companies and personnel are accountable for their actions. Please refer to Part III, Accountability and Governance, Questions # 17 and #18 of the questionnaire.

PART III - GOVERNANCE
Issue # 2
Complaint and/or Appeal Process

The Nova Scotia *Private Investigators and Private Guards Act* does not provide specific processes to deal with either complaints against licensees or to appeal decisions of the Registrar. Some other jurisdictions specifically address the requirement for a complaints and appeal process in their legislation. Our objective is to develop processes that are consistent, objective, comprehensive, accessible, transparent, cost effective and operationally efficient, and easy to follow.

The number of steps employed in relation to a public complaint may differ depending on the content and seriousness of the complaint. For example, complaints deemed to be trivial or vexatious could be dismissed early in the complaint process. If an investigation is warranted, a formal or informal hearing may be required. Remedies for infractions or violations of the *Act* could include a range of actions such as warning notices, issuance of summary offence tickets, suspension, revocation or failure to renew licenses, and/or prosecution.

The current legislation prescribes only that an applicant or licensee must be given the opportunity to be heard in relation to a license refusal, suspension or revocation. If the Registrar refuses to grant or refuses permission to a licensee to hold a valid security license, there is no specific recourse provided for appeal of the Registrar's decision.

Ontario - New legislation establishes a formal mechanism to address public complaints. The Registrar will be responsible for receiving and reviewing all public complaints against individuals or licensed companies.

Manitoba: As per the drafted legislation, the registrar, or any person authorized by the registrar, may receive and investigate complaints respecting the business of any person carrying on the business of providing private investigators or security guards.

Quebec: The newly introduced but not yet proclaimed *Private Security Act* allows for the establishment of a separate board known as le Bureau de la Sécurité Privée that processes the complaints it receives against permit holders . The Bureau also has the ability to investigate, following a complaint or on its own initiative, a breach of the *Act* or its regulations.

P.E.I. As per legislation, complaints are directed to the Minister . The Minister receives a complaint in respect of the carrying on of the business of providing investigators or security guards.

Your Comments

The approach in other Canadian jurisdictions who have revised their legislation is to make the complaints process as simple and efficient as possible. We hope to adopt the same perspective in Nova Scotia. Your views on complaints and appeal processes and procedures would be of interest. Please refer to PART III, Accountability and Governance, Questions # 19 and # 20 of the questionnaire.

PART IV - CONSULTATION AND IMPLEMENTATION

Issue # 1
Implementation Phase

The inclusion of new professions and the implementation of mandatory training standards for all components of the security industry may necessitate that the new provisions of the legislation be phased in over a period of time. If implementation were to occur on a sector-by-sector basis, this would provide a period of notice for each sector to meet the requirements of the legislation. In addition, it would permit the Security Program Office to prepare for the gradual growth and to assist each sector to comply with the legislation.

Your Comments

The concerns and barriers to implementation of the legislative requirements and thus the timing of implementation may differ between sectors. The input of each sector of the security industry and other stakeholders on this issue is sought. Please refer to PART IV, Implementation and Consultation , Question # 21 of the questionnaire.

Issue # 2
Consultation Processes

Private security reform is of significant interest to those already required to be licensed as security practitioners; those who will be required to be licensed under the new proposed legislation; other stakeholders who are impacted by the role and functioning of private security, for instance police and security training/educational institutions; and members of the public. Given the diversity of interest groups, it is challenging to design an efficient and effective process to accommodate input from all possible stakeholders. Inviting written submissions provides a means to receive a wide-range of inputs and insights on private security reform.

Formation of an ongoing mechanism for consultation on private security regulation requires the cooperation of all sectors of the security industry. This itself poses a dilemma given the competition within the industry and the fact that there is no one entity, or even a number of entities, that can be viewed as representing the industry as a whole. Attempts to form a consultation or liaison group with the industry have to date not met with success. This experience has been similar for other provincial jurisdictions.

The Security Programs Office is interested in developing ongoing forums for consultations with the private security industry and stakeholders. The objective would be to improve communication, facilitate strategic partnerships, and provide an avenue for discussion of issues relevant to the security sector.

Your Comments

Your recommendations for ongoing consultation processes or mechanisms for selection of representatives for consultation would be appreciated.

Based on the content of the written submissions received, consideration will be given to hosting regional meetings as part of the consultation process. Please refer to PART IV, Implementation and Consultation, Questions #22, #23 and 24 of the questionnaire.

January 11, 2007

NOVA SCOTIA HOUSE OF ASSEMBLY

FIRST SESSION SIXTIETH GENERAL ASSEMBLY

2007

CAP. NO.	BILL NO.	ASSENTED TO ACTS
		PUBLIC ACT
1	117	Members and Public Employees Disclosure Act; amended
		PRIVATE ACTS
2	77	Atlantic Baptist Churches, An Act Respecting the Convention of
3	124	St. John's Anglican Church Lands Act
4	122	St. Paul's United Church Lands Act

January 11, 2007

NOVA SCOTIA HOUSE OF ASSEMBLY

FIRST SESSION SIXTIETH GENERAL ASSEMBLY

2006-07

1 - 134

BILL NO.

A

Access to Regulated Professions Act 116
Accessibility for Persons' with Disabilities Act 121
Adult Protection Act; amended 134
Agriculture and Marketing Act; amended 24
Architects Act 115
Architects Act; repealed 115
Apprenticeship and Trades Qualifications Act; amended 67
Appropriations Act, 2006 57
Arts Council Act; amended 79
Arts Council Act 103
Assessment Act; amended 21, 38, 48, 92, 94
Atlantic Baptist Churches, An Act Respecting the Convention of 77

B

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January 11, 2007

NOVA SCOTIA HOUSE OF ASSEMBLY

FIRST SESSION SIXTIETH GENERAL ASSEMBLY

2006-07

Convened - June 29, 2006; Adjourned - July 14, 2006
Reconvened October 30, 2006; Adjourned November 23, 2006
Reconvened January 8, 2007; Adjourned January 11, 2007

	BILL NO.	CAP. NO.	STATUS	TITLE
*	1	**6 (2006)**	*Royal Assent July 14, 2006*	An Act to Make Communities and Neighbourhoods Safer (Safer Communities and Neighbourhoods Act)
	2		*First Reading*	An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code
	3		*First Reading*	An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act
	4		*First Reading*	An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
*	5	**26 (2006)**	*Royal Assent November 23, 2006*	An Act to Amend Chapter 123 of the Revised Statutes, 1989, the Degree Granting Act
	6		*First Reading*	An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act
*	7	**21 (2006)**	*Royal Assent November 23, 2006*	An Act Respecting the Practice of Registered Nurses (Registered Nurses Act)

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	BILL NO.	CAP. NO.	STATUS	TITLE
	8		*First Reading*	An Act to Make Communities and Neighbourhoods Safer (Safer Communities and Neighbourhoods Act)
+&*	9	**38 (2006)**	*Royal Assent* *November 23, 2006*	An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act
*	10	**5 (2006)**	*Royal Assent* *July 14, 2006*	An Act to Combat the Production and Use of Illegal Drugs (Protection from Illegal Drugs Act)
*	11	**17 (2006)**	*Royal Assent* *November 23, 2006*	An Act Respecting Licensed Practical Nurses (Licensed Practical Nurses Act)
*	12	**27 (2006)**	*Royal Assent* *November 23, 2006*	An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act
*	13	**7 (2006)**	*Royal Assent* *July 14, 2006*	An Act Respecting Safer Needles in Healthcare Workplaces (Safer Needles in Healthcare Workplaces Act)
*	14	**44 (2006)**	*Royal Assent* *November 23, 2006*	An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act
+&*	15	**39 (2006)**	*Royal Assent* *November 23, 2006*	An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act
*	16	**4 (2006)**	*Royal Assent* *July 14, 2006*	An Act Respecting a Memorial Day to Honour Police and Peace Officers (Police and Peace Officers' Memorial Day Act)
*	17	**14 (2006)**	*Royal Assent* *November 23, 2006*	An Act Respecting the Profits of Criminal Notoriety (Criminal Notoriety Act)
	18		*First Reading*	An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act

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BILL NO.		CAP. NO.	STATUS	TITLE
*	19	**3 (2006)**	*Royal Assent July 14, 2006*	An Act to Protect the Personal Information of Nova Scotians from Disclosure Outside Canada (Personal Information International Disclosure Protection Act)
*	20	**45 (2006)**	*Royal Assent November 23, 2006*	An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act
*	21	**15 (2006)**	*Royal Assent November 23, 2006*	An Act Respecting the Administration of Justice (Justice Administration Amendment (2006) Act)
*	22	**35 (2006)**	*Royal Assent November 23, 2006*	An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
*	23	**49 (2006)**	*Royal Assent November 23, 2006*	An Act to Amend Chapter 505 of the Revised Statutes, 1989, the Wills Act
*	24	**8 (2006)**	*Royal Assent July 14, 2006*	An Act to Amend Chapter 6 of the Revised Statutes, 1989, the Agriculture and Marketing Act
	25		*First Reading*	An Act to Amend Chapter 217 of the Revised Statutes, 1989, the Income Tax Act
	26		*First Reading*	An Act to Enforce a Moratorium on Strip Mines in Cape Breton (Cape Breton Strip Mines Moratorium Act)
*	27	**31 (2006)**	*Royal Assent November 23, 2006*	An Act to Amend Chapter 25 of the Acts of 1996, the Fisheries and Coastal Resources Act
	28	**53 (2006)**	*Royal Assent November 23, 2006*	An Act to Amend Chapter 89 of the Acts of 1982, the New Minas Water Commission Act

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	BILL NO.	CAP. NO.	STATUS	TITLE
	29	**55** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 224 of the Acts of 1920, An Act to Incorporate the Temple Sons of Israel, Sydney
*	30	**34** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 4 of the Acts of 1991, the Members and Public Employees Disclosure Act
** ++&*	31	**2** (2006)	*Royal Assent July 14, 2006*	An Act Respecting Certain Financial Measures (Financial Measures (2006) Act)
	32		*First Reading*	An Act to Amend Chapter 27 of the Acts of 1998, the Wilderness Areas Protection Act
	33		*First Reading*	An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
	34	**11** (2006)	*Royal Assent July 14, 2006*	An Act Respecting The Maritime Conservatory of Music and the Maritime Conservatory of Performing Arts Society (Maritime Conservatory Reorganization Act)
	35		*First Reading*	An Act to Establish the Junior Order of Nova Scotia (Junior Order of Nova Scotia Act)
	36		*First Reading*	An Act Respecting the Establishment of a Process to Implement Senior Home Medication Reviews (Senior Home Medication Review Act)
	37		*First Reading*	An Act to Amend Chapter 217 of the Revised Statutes, 1989, the Income Tax Act
	38		*First Reading*	An Act to Amend Chapter 213 of the Revised Statutes, 1989, the Assessment Act

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	BILL NO.	CAP. NO.	STATUS	TITLE
	39		*First Reading*	An Act to Ensure a Right of Way for the Beechville Baptist Church to Lovett Lake for Baptisms (Beechville Baptist Church Act)
	40		*First Reading*	An Act to Amend Chapter 27 of the Acts of 2000, the Employment Support and Income Assistance Act
*	41	**50 (2006)**	*Royal Assent November 23, 2006*	An Act to Exempt the Kingston Food Bank from Municipal Taxation in the County of Kings (Kingston Food Bank Act)
	42		*First Reading*	An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act
	43		*Referred to Committee on Law Amendments*	An Act to Assist in the Retention of Doctors in Nova Scotia
	44		*First Reading*	An Act to Amend Chapter 380 of the Revised Statutes, 1989, the Public Utilities Act
*	45	**10 (2006)**	*Royal Assent July 14, 2006*	An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code
	46		*First Reading*	An Act to Amend Chapter 147 of the Revised Statutes, 1989, the Energy Resources Conservation Act
*	47	**9 (2006)**	*Royal Assent July 14, 2006*	An Act to Amend Chapter 1 (1992 Supp.) of the Revised Statutes, 1989, the House of Assembly Act
	48		*First Reading*	An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act
	49		*First Reading*	An Act to Set Criteria for Prioritizing Road Improvement Projects (Road Improvements Act)

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	BILL NO.	CAP. NO.	STATUS	TITLE
	50		*First Reading*	An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
	51		*First Reading*	An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act
	52		*First Reading*	An Act to Amend Chapter 199 of the Revised Statutes, 1989, the Heritage Property Act
	53		*First Reading*	An Act to Amend Chapter 120 of the Revised Statutes, 1989, the Day Care Act
	54		*First Reading*	An Act to Amend Chapter 27 of the Acts of 1998, the Wilderness Areas Protection Act
	55		*First Reading*	An Act to Amend Chapter 371 of the Revised Statutes, 1989, the Public Highways Act
	56		*First Reading*	An Act to Amend Chapter 179 of the Revised Statutes, 1989, the Forests Act
+	57	**1 (2006)**	*Royal Assent July 14, 2006*	An Act to Provide for Defraying Certain Charges and Expenses of the Public Service of the Province (Appropriations Act, 2006)
*	58	**16 (2006)**	*Royal Assent November 23, 2006*	An Act Respecting the Administration of Justice (Justice Administration Amendment (Fall 2006) Act)
	59		*First Reading*	An Act to Amend Chapter 402 of the Revised Statutes, 1989, the Retail Business Uniform Closing Day Act
	60		*First Reading*	An Act Respecting the Holiday Closing of Retail Businesses (Retail Business Holiday Closing Act)

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BILL NO.		CAP. NO.	STATUS	TITLE
*	61	**36** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
+&*	62	**47** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 14 of the Acts of 1993, the Tobacco Access Act
	63		*First Reading*	An Act to Establish a Board to Distribute to Charities One Half of the Profits From the Sydney Casino (Sydney Casino Profits Distribution Act)
	64		*First Reading*	An Act to Provide Access to Defibrillators (Defibrillators Act)
	65		*First Reading*	An Act to Establish Joseph Howe Day (Joseph Howe Day Act)
	66		*First Reading*	An Act Respecting the Enhancement of School Libraries (Right to Read Act)
*	67	**23** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 1 of the Acts of 2003, the Apprenticeship and Trades Qualifications Act
*	68	**42** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 340 of the Revised Statutes, 1989, the Pension Benefits Act
*	69	**33** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 6 of the Acts of 1994-95, the Maintenance Enforcement Act
*	70	**20** (2006)	*Royal Assent November 23, 2006*	An Act to Declare the Brook Trout to be the Provincial Fish of Nova Scotia (Provincial Fish Act)
	71		*First Reading*	An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act

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	BILL NO.	CAP. NO.	STATUS	TITLE
	72	**52** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 55 of the Acts of 1963, the Halifax Regional Water Commission Act
	73		*First Reading*	An Act Respecting the Protection and Portability of Health Insurance (Health Insurance Protection Act)
	74		*First Reading*	An Act to Establish a Committee to Develop a Poverty Reduction Strategy in Nova Scotia (Poverty Reduction Strategy Act)
*	75	**46** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act
	76		*First Reading*	An Act Respecting the Digby Rock Quarry and North Mountain Mining (Digby Mining Moratorium Act)
	77	**2** (2007)	*Royal Assent January 11, 2007*	An Act Respecting the Convention of Atlantic Baptist Churches
*	78	**41** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 9 of the Acts of 2001, the Order of Nova Scotia Act
	79		*First Reading*	An Act to Re-establish the Nova Scotia Arts Council
*	80	**13** (2006)	*Royal Assent November 23, 2006*	An Act to Protect the Civilian Employment of Members of the Canadian Forces Reserves (Canadian Forces Reservists Protection Act)
	81		*First Reading*	An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, to Provide Employees a Longer Weekly Period of Rest
	82		*First Reading*	An Act to Amend Chapter 7 of the Acts of 1996, the Occupational Health and Safety Act

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BILL NO.		CAP. NO.	STATUS	TITLE
*	83	**32** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 246 of the Revised Statutes, 1989, the Labour Standards Code, to Provide Employees with a Rest or Eating Break
*	84	**22** (2006)	*Royal Assent November 23, 2006*	An Act Respecting the Municipal Taxation of Wind Turbine Facilities (Wind Turbine Facilities Municipal Taxation Act)
*	85	**54** (2006)	*Royal Assent November 23, 2006*	An Act Respecting the Transfer of Assets and Liabilities of the Nova Scotia Freemasons' Home to The Masonic Foundation of Nova Scotia
*	86	**37** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
*	87	**25** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act
	88	**51** (2006)	*Royal Assent November 23, 2006*	An Act Respecting the Taxation of Stora Enso Port Hawkesbury Limited by the Municipality of the County of Richmond (Richmond Stora Enso Taxation Act)
*	89	**43** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 238 of the Revised Statutes, 1989, the Provincial Court Act
	90		*First Reading*	An Act to Amend Chapter 371 of the Revised Statutes, 1989, the Public Highways Act
*	91	**48** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 475 of the Revised Statutes, 1989, the Trade Union Act
*	92	**24** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act

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BILL NO.	CAP. NO.	STATUS	TITLE
93		*First Reading*	An Act to Amend Chapter 449 of the Revised Statutes, 1989, the Student Aid Act
* 94	**19 (2006)**	*Royal Assent November 23, 2006*	An Act to Establish the Property Valuation Services Corporation (Property Valuation Services Corporation Act)
** 95 ++&*	**40 (2006)**	*Royal Assent November 23, 2006*	An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act
96		*First Reading*	An Act to Repeal Chapter 11 of the Acts of 2005, the Petroleum Products Pricing Act
97		*First Reading*	An Act to Amend Chapter 6 of the Acts of 2000, the Health Authorities Act
98		*First Reading*	An Act to Amend Chapter 17 of the Acts of 1995-96, the Revenue Act
99		*First Reading*	An Act to Amend Chapter 6 of the Acts of 2000, the Health Authorities Act
100		*First Reading*	An Act to Amend Chapter 21 of the Acts of 1990, the Public Prosecutions Act
101		*First Reading*	An Act to Amend Chapter 5 of the Acts of 1993, the Freedom of Information and Protection of Privacy Act, to Restrict the Payment of Fees
102		*Referred to Private and Local Bills Committee*	An Act to Authorize the Village of Pugwash to Make Grants or Contributions to Certain Organizations (Pugwash Village Grants Act)
103		*First Reading*	An Act to Recognize the Central Role of the Arts in Nova Scotia by Re-establishing an Arms-length Arts Council (Arts Council Act)

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	BILL NO.	CAP. NO.	STATUS	TITLE
	104		*First Reading*	An Act to Amend Chapter 5 of the Acts of 1993, the Freedom of Information and Protection of Privacy Act, to Prohibit the Disclosure of the Identity of an Applicant for Information
	105		*Referred to Private and Local Bills Committee*	An Act to Authorize the Village of Pugwash to Make a Capital Grant to the Pugwash District Volunteer Fire Department (Pugwash Village Capital Grant Act)
	106		*First Reading*	An Act to Ensure Fairness in Fees Collected by the Government of Nova Scotia (Fairness in Fees Act)
*	107	**18 (2006)**	*Royal Assent November 23, 2006*	An Act Respecting Midwifery (Midwifery Act)
	108		*First Reading*	An Act to Amend Chapter 475 of the Revised Statutes, 1989, the Trade Union Act, Respecting First-contract Arbitration
	109		*First Reading*	An Act to Amend Chapter 7 of the Acts of 1996, the Occupational Health and Safety Act
	110		*First Reading*	An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act
	111		*First Reading*	An Act to Amend Chapter 222 of the Revised Statutes, 1989, the Industrial Development Act
	112		*First Reading*	An Act Respecting the Establishment of a Domestic Violence Prevention Committee in Nova Scotia (Domestic Violence Elimination Act)
*	113	**30 (2006)**	*Royal Assent November 23, 2006*	An Act to Amend Chapter 1 of the Acts of 1994-95, the Environment Act

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BILL NO.		CAP. NO.	STATUS	TITLE
*	114	**29** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 148 of the Revised Statutes, 1989, the Engineering Profession Act
*	115	**12** (2006)	*Royal Assent November 23, 2006*	An Act Respecting the Practice of Architecture (Architects Act)
	116		*First Reading*	An Act Respecting the Appointment and Duties of a Commissioner to Ensure the Fair Access to Regulated Professions (Access to Regulated Professions Act)
*	117	**1** (2007)	*Royal Assent January 11, 2007*	An Act to Amend Chapter 4 of the Acts of 1991, the Members and Public Employees Disclosure Act
	118		*First Reading*	An Act to Amend Chapter 217 of the Revised Statutes, 1989, the Income Tax Act
*	119	**28** (2006)	*Royal Assent November 23, 2006*	An Act to Amend Chapter 140 of the Revised Statutes, 1989, the Elections Act
	120		*First Reading*	An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
	121		*First Reading*	An Act to Amend Chapter 130 of the Revised Statutes, 1989, the Disabled Persons' Commission Act
	122	**4** (2007)	*Royal Assent January 11, 2007*	An Act Respecting the Lands of St. Paul's United Church of Blue Rocks (St. Paul's United Church Lands Act)
	123		*First Reading*	An Act to Establish a Commission Respecting the Heritage of Nova Scotia's Capital (Provincial Capital Heritage Commission Act)

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BILL NO.	CAP. NO.	STATUS	TITLE
124	**3 (2007)**	*Royal Assent January 11, 2007*	An Act to Clarify the Title to Lands of St. John's Anglican Church of Lunenburg (St. John's Anglican Church Lands Act)
125		*First Reading*	An Act to Permit Retail Workers to Refuse Work (Retail Workers' Right to Refuse Work Act)
126		*First Reading*	An Act Respecting Health Facilities Licensing and Equitable Access to Insured Services (Health Facilities Licensing Act)
127		*First Reading*	An Act to Amend Chapter 214 of the Revised Statutes, 1989, the Human Rights Act
128		*First Reading*	An Act to Amend Chapter 293 of the Revised Statutes, 1989, the Motor Vehicle Act
129		*First Reading*	An Act Respecting a Moratorium on Approvals of Small Options Homes (Small Options Homes Moratorium Termination Act)
130		*First Reading*	An Act to Amend Chapter 376 of the Revised Statutes, 1989, the Public Service Act
131		*First Reading*	An Act to Repeal Chapter 477 of the Revised Statutes, 1989, the Treasure Trove Act
132		*First Reading*	An Act to Amend Chapter 199 of the Revised Statutes, 1989, the Heritage Property Act
133		*First Reading*	An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act

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BILL NO.	CAP. NO.	STATUS	TITLE
134		*First Reading*	An Act to Amend Chapter 2 of the Revised Statutes, 1989, the Adult Protection Act

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BILL NO. 117

Government Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act to Amend Chapter 4 of the Acts of 1991, the Members and Public Employees Disclosure Act

CHAPTER 1
ACTS OF 2007

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
JANUARY 11, 2007

The Honourable Michael G. Baker, Q.C.
Government House Leader

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

An Act to Amend Chapter 4 of the Acts of 1991, the Members and Public Employees Disclosure Act

Be it enacted by the Governor and Assembly as follows:

1 Clause 3(i) of Chapter 4 of the Acts of 1991, the *Members and Public Employees Disclosure Act*, is amended by adding ", except in Sections 14A to 14F and Part IIA,**" immediately after "and" in the second line.**

2 Section 8 of Chapter 4 is amended by

(a) adding "but, in Sections 14A to 14F, does not include a candidate for the leadership of a political party or a person nominated to become a party's candidate for election in an electoral district**" immediately after "*Act*" in the second line of clause (a);**

(b) adding immediately after clause (b) the following clause:

(ba) "corporation" means a corporation incorporated by or pursuant to an Act of the Legislature or a corporation registered under the *Corporations Registration Act* or a corporation doing business in the Province and exempt from registration under that Act by that Act but does not include a Crown corporation, a public body within the meaning of the *Freedom of Information and Protection of Privacy Act* or a government business enterprise or governmental unit within the meaning of Part IX of the *Provincial Finance Act*;

(c) striking out the period at the end of clause (c) and substituting a semicolon; and

(d) adding immediately after clause (c) the following clauses:

(d) "organization" means a corporation, a partnership or a trade union;

(e) "partnership" means a partnership registered under the *Partnerships and Business Names Registration Act* or a partnership doing business in the Province and exempt from registration under that Act by that Act;

(f) "trade union" means a certified bargaining agent as defined in the *Trade Union Act* or a labour organization representing workers in the Province.

3 Chapter 4 is further amended by adding immediately after Section 12 the following Section:

12A An official agent shall not accept from any person in any calendar year cash contributions totalling more than one hundred dollars.

4 Chapter 4 is further amended by adding immediately after Section 14 the following Sections:

14A (1) No person may make a contribution to a candidate, electoral district association or recognized party or to an official agent or a trust for a candidate, electoral district association or recognized party except as permitted by this Act.

(2) No candidate, electoral district association or recognized party and no official agent or trust for a candidate, electoral district association or recognized party shall accept a contribution except as permitted by this Act.

14B (1) An individual ordinarily resident in the Province or an organization may make a contribution to one or more candidates, electoral district associations or recognized parties.

(2) The total contributions by an individual or organization to each recognized party and all candidates and electoral district associations of that party must not exceed five thousand dollars in each calendar year.

(3) For the purpose of this Section, all related corporations are to be considered as one corporation and a trade union and all its locals and affiliates are considered to be one organization.

(4) For the purpose of this Section, a candidate who expends the candidate's own money for political purposes is deemed to have made a contribution to the extent of the expenditure.

(5) For greater certainty, where an employee provides services to a candidate, electoral district association or recognized party and the employee receives remuneration from the employee's employer for providing those services, the employer is deemed to have made a contribution in the amount of that remuneration.

(6) No person shall reimburse, directly or indirectly, an employee for a contribution made by the employee.

(7) No person shall enter into an agreement for the provision for payment of goods or services to a candidate, electoral district association or recognized party that includes a term that any person will make a contribution, directly or indirectly, to a candidate, electoral district association or recognized party.

14C (1) Where an individual or organization makes contributions to a recognized party and all candidates and electoral district associations of that party totalling more than the amount permitted by Section 14B, the recognized party, candidate or electoral district association, as the case may be, shall return to the individual or organization the amount in excess of that amount.

(2) Where on a single day an individual or organization makes contributions to two or more of a recognized party and all candidates and electoral district associations of that party totalling more than the amount permitted by Section 14B and immediately preceding that day the amount permitted by Section 14B has not been exceeded, the recognized party, candidates and electoral district associations, as the case may be, shall return to the individual or organization the amount in excess of that amount in the same proportions relative to each that the contributions received by them on that day are relative to each other.

14D (1) A candidate shall not lend a contribution to any person.

(2) A constituency association may only lend money to its nominated candidate or its recognized party.

(3) No person shall lend money to a candidate, electoral district association or recognized party for a term of more than two years, including any renewal or refinancing.

(4) Subsection (3) does not apply to a loan by a financial institution or by an electoral district association or a recognized party.

14E (1) A loan to a candidate, electoral district association or recognized party is not a contribution except as provided in this Section.

(2) Where a loan is made to a candidate, electoral district association or recognized party at a rate of interest less than the bank prime rate, the difference between the interest payable at the bank prime rate and the interest paid is a contribution.

(3) Where a payment on a loan to a candidate, electoral district association or recognized party is made a person other than the candidate, electoral district association or recognized party, as the case may be, the payment is a contribution.

(4) Where a payment on a loan to a candidate, electoral district association or recognized party is wholly or partly unpaid six months after becoming due, the outstanding amount of the payment is a contribution but nothing in this subsection affects the rights of the lender to recover the payment.

(5) Subsection (4) does not apply to a loan by a financial institution.

14F (1) A candidate, electoral district association or recognized party or the official agent of a candidate, electoral district association or recognized party shall not accept a loan unless there is a loan agreement in writing setting out the amount of the loan, the term of the loan, the name and address of the lender, the name and address of any guarantor and the details of any assignment of reimbursement made and the loan agreement must be included with the annual disclosure statement filed pursuant to Section 14.

(2) In each subsequent year where there is a balance outstanding on a loan, a report must be included with the annual disclosure statement stating the outstanding balance and describing any changes to the loan agreement.

14G (1) No person may be charged with an offence by reason of the outstanding amount of a payment on a loan being a contribution pursuant to subsection 14E(4) or the payment of the outstanding amount by a guarantor unless the person had no *bona fide* intent to repay the loan.

(2) Where the outstanding amount of a payment on a loan to a candidate that is a contribution pursuant to subsection 14E(4) or the payment of the outstanding amount by a guarantor of a candidate exceeds the contributions permitted by this Part, the amount of the excess contribution shall be deducted from the refund of the deposit to the candidate pursuant to the *Elections Act*.

(3) Where the outstanding amount of a payment on a loan to a recognized party that is a contribution pursuant to subsection 14E(4) or the payment of the outstanding amount by a guarantor of a recognized party exceeds the contributions permitted by this Part, the amount of the excess contribution shall be deducted from the payments made to the recognized party pursuant to Part IIA.

5 Chapter 4 is further amended by adding immediately after Section 20 the following Section:

20A On or before the thirtieth day of June in each year, the designated person shall publish the disclosure statements for the previous calendar year.

6 Subsection 21(1) of Chapter 4 is amended by adding immediately after clause (d) the following clause:

(da) cash contributions;

7 Chapter 4 is further amended by adding immediately after Part II the following Part:

PART IIA

FINANCING OF POLITICAL PARTIES

21A (1) Each fiscal year the Minister of Finance shall pay out of the Consolidated Fund to each recognized party

(a) in the first two full fiscal years in which this Section is in force,

(i) one dollar and fifty cents for each vote received by candidates representing that party in the most recent general election, or

(ii) where a recognized party elects, ninety cents for each vote received by candidates representing that party in the most recent general election plus, where the recognized party received at least fifteen per cent of the votes cast, one hundred and twenty-five thousand dollars; and

(b) in subsequent fiscal years, one dollar and fifty cents for each vote received by candidates representing that party in the most recent general election.

(2) Any reduction in the amount to which a recognized party is entitled, as a result of a general election, is effective at the beginning of the next fiscal year.

(3) Any increase in the amount to which a recognized party is entitled, as a result of a general election, is effective upon the candidates being declared elected and, for greater certainty, the increase is to be prorated for the remainder of the fiscal year.

(4) The Minister of Finance shall pay the amounts determined pursuant to subsection (1) in two equal instalments in April and October.

(5) Where this Section comes into force other than at the beginning of a fiscal year, the Minister of Finance shall pay out of the Consolidated Fund in the partial fiscal year to each recognized party the proportion of the amount determined pursuant to clause (a) of subsection (1) that that partial fiscal year is to a full fiscal year.

(6) The amount set out in clause (b) of subsection (1) shall be increased at the beginning of each year by the percentage increase in the previous year in the Consumer Price Index for the Province published by Statistics Canada.

21B (1) In this Section,

(a) "during an election" means during an election as defined in the *Elections Act*;

(b) "held assets" means funds or assets held in trust for a recognized party before July 11, 1991, and includes income earned on those funds or assets.

(2) Held assets must not be used at any time for advertising by or for a candidate, electoral district association or recognized party.

(3) Held assets may be used for the operations of a recognized party but must not be used during an election for any election purpose.

21C (1) Within one hundred and twenty days after the coming into force of this Section, every recognized party shall publish audited financial statements respecting all moneys or funds held by or in trust for the party as of the date this Section comes into force.

(2) Within one hundred and twenty days after the end of each fiscal year of a recognized party, the party shall publish audited financial statements respecting all moneys or funds held by or in trust for the party at the end of the fiscal year.

8 Chapter 4 is further amended by adding immediately after Section 32 the following Section:

32A (1) Every person who contravenes Section 14A is guilty of an offence and liable on summary conviction to a fine of not more than

(a) in the case of an individual, five thousand dollars; or

(b) in the case of an organization, fifty thousand dollars.

(2) In addition to the fine provided by subsection (1), a person guilty of contravening subsection (1) is liable to a fine of up to twice the amount by which that person's contributions exceed the amount permitted by Section 14B.

9 Subsection 50(2) of Chapter 217 of the Revised Statutes, 1989, *Income Tax Act*, as enacted by Chapter 4 of the Acts of 2000, is amended by

(a) adding "the lesser of**" immediately after "to" the second time it appears in the sixth line; and**

(b) striking out clauses (a) to (c) and everything following those clauses **and substituting the following clauses:**

(a) for the 2006 and previous taxation years,

(i) 75% of the aggregate amount contributed if the aggregate amount contributed does not exceed $100,

(ii) $75 plus 50% of the amount by which the aggregate amount contributed exceeds $100 but does not exceed $550, or

(iii) the lesser of

(A) $300 plus 33-1/3% of the amount by which the aggregate amount contributed exceeds $550, and

(B) $500,

or the amount of the tax payable, whichever is the lesser; and

(b) for the 2007 and subsequent taxation years,

(i) 75% of the aggregate amount contributed to a maximum of $750; or

(ii) the amount of the tax payable,

whichever is the lesser.

10 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

BILL NO. 77

Private Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act Respecting the Convention of Atlantic Baptist Churches

CHAPTER 2
ACTS OF 2007

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
JANUARY 11, 2007

The Honourable Mark Parent
Kings North

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

An Act Respecting the Convention of Atlantic Baptist Churches

Be it enacted by the Governor and Assembly as follows:

1 The name of The Home Mission Board of the United Baptist Convention of the Atlantic Provinces, a body corporate incorporated by Chapter 84 of the Acts of 1879, *An Act to Incorporate the Home Mission Board of the Baptist Convention of Nova Scotia, New Brunswick, and Prince Edward Island*, is changed to "Atlantic Baptist Mission Board of the Convention of Atlantic Baptist Churches".

2 A reference in any enactment or document to The Home Mission Board of the United Baptist Convention of the Atlantic Provinces under that name or any other name that was previously authorized by statute, shall, as regards any subsequent transaction, matter or thing, be held and construed to be a reference to the Atlantic Baptist Mission Board of the Convention of Atlantic Baptist Churches.

3 No rights, duties, obligations or liabilities of The Home Mission Board of the United Baptist Convention of the Atlantic Provinces are in any way affected by the change of name made by this Act and those rights, duties, obligations and liabilities continue to be vested in and are binding upon it under the name "Atlantic Baptist Mission Board of the Convention of Atlantic Baptist Churches".

4 The name of The Board of Ministers' Annuity Fund of the United Baptist Convention of the Atlantic Provinces, a body corporate incorporated by Chapter 130 of the Acts of 1891, *An Act to incorporate the Board of the Ministers' Annuity Fund of the Baptist Convention of the Maritime Provinces*, is changed to "Pension and Insurance Board of the Convention of Atlantic Baptist Churches".

5 A reference in any enactment or document of The Board of Ministers' Annuity Fund of the United Baptist Convention of the Atlantic Provinces under that name or any other name that was previously authorized by statute shall, as regards any subsequent transaction, matter or thing, be held and construed to be a reference to the Pension and Insurance Board of the Convention of Atlantic Baptist Churches.

6 No rights, duties, obligations or liabilities of The Board of Ministers' Annuity Fund of the United Baptist Convention of the Atlantic Provinces are in any way affected by the change of name made by this Act and those rights, duties, obligations and liabilities continue to be vested in and are biding upon it under the name "Pension and Insurance Board of the Convention of Atlantic Baptist Churches.

7 Section 5 of Chapter 130 of the Acts of 1891, *An Act to incorporate the Board of the Ministers' Annuity Fund of the Baptist Convention of the Maritime Provinces*, is repealed and the following Section substituted:

5 The corporation hereby created shall furnish annually to said convention a statement of its affairs and a summary of its financial transactions for the preceding

year and shall upon the request of the convention make available a full audited financial statement.

BILL NO. 124

Private Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act to Clarify the Title to Lands of St. John's Anglican Church of Lunenburg

CHAPTER 3
ACTS OF 2007

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
JANUARY 11, 2007

The Honourable Michael G. Baker, Q.C.
Lunenburg

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

An Act to Clarify the Title to Lands of St. John's Anglican Church of Lunenburg

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *St. John's Anglican Church Lands Act*.

2 The lands described in Schedules A and B to this Act are vested in the Parish of St. John in the County of Lunenburg, a body corporate under the *Anglican Church Act* (formerly known as The Rector and Wardens of St. John's Anglican Church of Lunenburg).

3 Notwithstanding any enactment, the lot described in Schedule A to this Act and the lot described in Schedule B to this Act are each a single lot.

SCHEDULE A

All that lot shown as lands of the Rector and Wardens of St. John's Anglican Church, area 34,476 square feet on a Plan of Survey by R. C. Becker Surveying Ltd. signed by Robert C. Becker, N.S.L.S., dated 4 May, 2006 (his file 060326P) more particularly described as follows:

Beginning at a survey marker at the intersection of the Southerly sideline of Townsend Street, and the Easterly sideline of Cornwallis Street, tie lines joining this point to Nova Scotia Co-ordinate survey marker no. 27107 being as follows:

North 87 degrees 09 minutes 19 seconds West - 1966.39 feet
South 81 degrees 36 minutes 40 seconds East - 45.00 feet

Thence South 81 degrees 36 minutes 40 seconds East along the Southerly sideline of Townsend Street, 285.39 feet to a survey marker on the Westerly sideline of Duke Street;

Thence South 08 degrees 14 minutes 25 seconds West along the Westerly sideline of Duke Street, 120.66 feet to a survey marker on the Northerly sideline of Cumberland Street;

Thence North 81 degrees 36 minutes 40 seconds West along the Northerly sideline of Cumberland Street, 286.07 feet to a survey marker on the Easterly sideline of Cornwallis Street;

Thence North 08 degrees 34 minutes 00 seconds East along the Easterly sideline of Cornwallis Street, 120.66 feet to the point of beginning.

SCHEDULE B

ALL that certain lot, piece or parcel of land situate, lying and being on the Western side of Cornwallis Street, between Cumberland and Townsend Streets, in the Town of Lunenburg, County of Lunenburg and Province of Nova Scotia, shown as Lot "SJ-1" on a Plan of Survey of lands of The Rector & Wardens of St. John's Anglican Church, dated May 4th., 2006, revised to October 26th., 2006, by Robert C. Becker, Nova Scotia Land Surveyor, said lot being more particularly described as follows:

BEGINNING at the point of intersection of the Western side-line of said Cornwallis Street with the Southern side-line of said Townsend Street, said point being located North 87 degrees, 09 minutes, 19 seconds West, a distance of 1966.39 feet from Nova Scotia Co-ordinate Monument no. 27107; said point being the Northeastern corner of the lot herein described;

THENCE South 08 degrees, 34 minutes, 00 seconds West, a distance of 120.66 feet along the Western side-line of said Cornwallis Street to its point of intersection with the Northern side-line of said Cumberland Street;

THENCE North 81 degrees, 36 minutes, 40 seconds West, a distance of 210.54 feet along the Northern side-line of said Cumberland Street, to a survey marker on the Southeastern corner of Lot "2", lands of David A. Kelly and Anne B. Kelly;

THENCE North 08 degrees, 23 minutes, 20 seconds East, a distance of 60.33 feet along said Lot "2", to a survey marker on the Southeastern corner of Lot "13", other lands of said David A. Kelly and Anne B. Kelly;

THENCE North 08 degrees, 23 minutes, 20 seconds East, a distance of 60.33 feet along said Lot "13", to a survey marker on the Southern side-line of Townsend Street aforesaid;

THENCE South 81 degrees, 36 minutes, 40 seconds East, a distance of 210.90 feet along the Southern side-line of said Townsend Street to the POINT OF BEGINNING.

SAID Lot "SJ-1" contains an area of 25,426 square feet.

BEARINGS being based on the Nova Scotia grid system, Zone 5, Central Meridian 64 degrees, 30 minutes West Longitude.

BILL NO. 122

Private Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act Respecting the Lands of St. Paul's United Church of Blue Rocks

CHAPTER 4
ACTS OF 2007

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
JANUARY 11, 2007

The Honourable Michael G. Baker, Q.C.
Lunenburg

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

An Act Respecting the Lands of St. Paul's United Church of Blue Rocks

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *St. Paul's United Church Lands Act*.

2 **(1)** Notwithstanding any enactment, the lands of the Trustees of the United Church of Canada at Blue Rocks, Nova Scotia (known as St. Paul's United Church) as described in the Schedule to this Act consists of, and has always consisted of, two separate lots, namely, lots SP-1 and SP-2 as described in the Schedule, that, without limiting the generality of the foregoing, may be separately owned or separately developed.

(2) Notwithstanding any other enactment, the division of the lands by this Act does not in any way adversely affect the right to develop or redevelop lots SP-1 and SP-2.

SCHEDULE

Lot SP-1

ALL that certain lot, piece or parcel of land situate, lying and being on the Northwestern side-line of the Stonehurst Road, Authority no. 416, at Blue Rocks, in the County of Lunenburg and Province of Nova Scotia, shown as proposed Lot "SP-1" on a Plan of Survey of lands of Trustees of the United Church of Canada, at Blue Rocks, Nova Scotia (St. Paul's United Church), dated November 1st., 2006, by Robert C. Becker, Nova Scotia Land Surveyor, said lot being more particularly described as follows:

BEGINNING at a point marked by a survey marker (an iron post and identification cap) on the Northwestern side-line of said Stonehurst Road, said point being a Southern corner of lands of the Trustees of Common Land, Municipality of the District of Lunenburg, and being the Eastern corner of the lot herein described:

THENCE Southwesterly on the arc of a curve to the left, of radius of 536.00 feet, for an arc distance of 110.00 feet along the Northwestern side-line of said Stonehurst Road, to a survey marker on the Eastern corner of proposed Lot "SP-2", as shown on the aforementioned Plan; a tie-line between the point of beginning and said point being South 47 degrees, 58 minutes, 09 seconds West, a distance of 109.81 feet;

THENCE North 49 degrees, 35 minutes, 25 seconds West, a distance of 70.30 feet along said proposed Lot "SP-2", to a survey marker;

THENCE North 60 degrees, 00 minutes, 11 seconds West, a distance of 153.09 feet along said proposed Lot "SP-2" to a survey marker on a Southeastern side-line of said Common Lands;

THENCE North 39 degrees, 59 minutes, 47 seconds East, a distance of 110.00 feet along said Common Lands, to a survey marker;

THENCE South 56 degrees, 00 minutes, 00 seconds East, a distance of 237.60 feet along said Common Lands, to the POINT OF BEGINNING.

SAID proposed Lot "SP-1" contains an area of 23,639 square feet.

BEARINGS being based on the Nova Scotia grid system, Zone 5, Central Meridian 64 degrees, 30 minutes West Longitude.

Lot SP-2

ALL that certain lot, piece or parcel of land situate, lying and being on the Northwestern side-line of the Stonehurst Road, Authority no. 416, at Blue Rocks, in the County of Lunenburg and Province of Nova Scotia, shown as proposed Lot "SP-2" on a Plan of Survey of lands of Trustees of the United Church of Canada, at Blue Rocks, Nova Scotia (St. Paul's United Church), dated November 1st., 2006, by Robert C. Becker, Nova Scotia Land Surveyor, said lot being more particularly described as follows:

BEGINNING at a point marked by a survey marker (an iron post and identification cap) on the Northwestern side-line of said Stonehurst Road, said point being the Southern corner of proposed Lot "SP-1", as shown on the aforementioned Plan, and being the Eastern corner of the lot herein described;

THENCE Southwesterly on the arc of a curve to the left, of radius of 536.00 feet, for an arc distance of 68.79 feet along the Northwestern side-line of said Stonehurst Road, to a point of curvature; a tie-line between the point of beginning and said point being South 38 degrees, 25 minutes, 51 seconds West, a distance of 68.74 feet;

THENCE South 34 degrees, 06 minutes, 38 seconds West, a distance of 218.46 feet along the Northwestern side-line of said Stonehurst Road, to a survey marker on the Eastern corner of lands conveyed to Christine Ann Welldon;

THENCE North 50 degrees, 00 minutes, 00 seconds West, a distance of 211.44 feet along the Northeastern side-line of said Welldon lands, to a survey marker on a Southeastern side-line of lands of the Trustees of Common Land, Municipality of the District of Lunenburg; said point being located South 75 degrees, 07 minutes, 57 seconds East, a distance of 11,455.30 feet from Nova Scotia Co-ordinate Monument no. 16744;

THENCE North 30 degrees, 00 minutes, 00 seconds East, a distance of 195.40 feet along said Common Land, to a survey marker;

THENCE North 39 degrees, 59 minutes, 47 seconds East, a distance of 67.50 feet along said Common Land, to a survey marker on the Eastern corner of said proposed Lot "SP-1";

THENCE South 60 degrees, 00 minutes, 11 seconds East, a distance of 153.09 feet along said proposed Lot "SP-1", to a survey marker;

THENCE South 49 degrees, 35 minutes, 25 seconds East, a distance of 70.30 feet along said proposed Lot "SP-1" to the POINT OF BEGINNING.

SAID proposed Lot "SP-2" contains an area of 60,911 square feet.

BEARINGS being based on the Nova Scotia grid system, Zone 5, Central Meridian 64 degrees, 30 minutes West Longitude.